

## REMARKS

The pending application was filed on February 9, 2004 with claims 1-20. The Examiner issued a Non-Final Office Action dated July 25, 2005 rejecting claims 1-7 and indicating that claims 8-20 had been withdrawn. In particular, the Examiner rejected claims 5 and 6 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. The Examiner rejected claims 1-5 and 7 under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 4,976,444 to *Richards* and rejected claims 1-3 and 5-7 under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,975,844 to *Milazar*. A response was filed November 23, 2005. The Examiner issued a communication on February 10, 2006 stating that the response was incomplete. A response was filed. Another communication was issued dated May 15, 2006. A telephonic interview was conducted June 15, 2006. The Examiner issued a Final Office Action dated September 28, 2006 in which the Examiner rejected claim 1 under 35 U.S.C. §102(b) in view of a newly cited reference, United States Patent No. 4,524,981 to *Hertz Jr.* and rejected claims 1, 3 and 6-7 under 35 U.S.C. §102(b) in view of *Milazar*. The Examiner also rejected claims 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over *Hertz, Jr.* and rejected claim 4 under 35 U.S.C. § 103(a) in view of *Milazar*.

Claims 1-7 are pending in the patent application, and claims 8-20 have been withdrawn. Claims 2 and 5 have been previously canceled without prejudice, and claims 1,

3, 4, 6, and 7 have been previously amended. Claims 1, 3, 4, 6, and 7 remain pending in the application. In view of the arguments set forth below, claims 1, 3, 4, 6, and 7 are allowable, and the Examiner is respectfully requested to withdraw the rejections and issue a Notice of Allowance.

**I. REJECTION OF CLAIM 1 UNDER 35 U.S.C. §102(b)**

The Examiner rejected claim 1 under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 4,524,981 to *Hertz, Jr.* The Examiner stated that *Hertz, Jr.* discloses a seal having a body with a cross-section having a first side, a second side, a first end and a second end, wherein the first and second sides have lengths longer than lengths of the first and second ends. The Examiner also stated that *Hertz, Jr.* discloses a first end having a tooth extending from a region on the first end proximate to an intersection between the first end and the first side and extending toward the second side and the first end having a second tooth extending from a region on the first end proximate to an intersection between the first and the second side and extending toward the first side of the body. The Examiner also stated that *Hertz, Jr.* discloses other claimed elements as well.

*Hertz, Jr.* discloses annular seal with a V-cut, as set forth appropriately in the title of the patent. As shown in Figure 1, *Hertz, Jr.* discloses an annular seal (20) for a wellhead valve (10). The annular seal (20) includes grooves (34a & b) in the inner seal face (22) and

the outer seal face (24). The grooves (34a & b) enable the seal (20) to compressed when subjected to a compression force.

In sharp contrast, the claimed invention in claim 1 is directed, in relevant part, to a "first end [that] includes at least one first tooth extending from a region on the first end proximate to an intersection between the first end and the first side and extending toward the second side of the body and at least one second tooth extending from a region on the first end proximate to an intersection between the first end and the second side and extending toward the first side of the body." Thus, the claimed seal includes at least one tooth that extends from a first end. In contrast, the annular seal of *Hertz, Jr.* discloses an annular seal with grooves cut into inner and outer sealing surfaces. *Hertz, Jr.* does not disclose a seal with teeth extending from an end of the seal. Thus, *Hertz, Jr.* does not anticipate claim 1, and the Examiner is respectfully requested to withdraw the rejection.

## **II. REJECTION OF CLAIMS 1, 3 AND 6-7 UNDER 35 U.S.C. §102(b)**

The Examiner rejected claims 1-3 and 5-7 under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 5,975,844 to *Milazar*. The Examiner stated that *Milazar* discloses a seal usable between two thermally movable components. The Examiner stated that *Milazar* further discloses a seal comprising a body having a longitudinal axis and the body having a cross-section orthogonal to the longitudinal axis that has a first side, a second side generally opposite to the first side, a first end, and a second end generally

opposite to the first end. The Examiner also stated that *Milazar* discloses that the first end of the body is formed from a compliant material.

Claim 1 states in relevant part "wherein the first and second sides have lengths longer than lengths of the first and second ends . . . ." The amendment places the teeth on a first end that is shorter than the first and second sides. In contrast, *Milazar* discloses a plurality of teeth extending from a first side of a seal body, not teeth extending from a first end of a seal body that is shorter than the first and second sides of the seal body, as claimed in claim 1. In addition, *Milazar* does not disclose curved teeth, as claimed in claim 7. Therefore, for at least these reasons, claim 1, and those claims depending therefrom, are not anticipated by *Milazar*, and the Examiner is respectfully requested to withdraw the rejection.

### **III. REJECTION OF CLAIMS 3 AND 4 UNDER 35 U.S.C. §103**

The Examiner rejected claims 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over *Hertz, Jr.* and rejected claim 4 under 35 U.S.C. §103(a) as being unpatentable over *Milazar*. Claims 3 and 4 depend from claim 1, which is allowable for the reasons previously set forth. Thus, the Examiner is respectfully requested to withdraw the rejection.

### CONCLUSION

For at least the reasons given above, claims 1, 3, 4, 6, and 7 define patentable subject matter and are thus allowable. The undersigned representative thanks the Examiner for examining this application.

Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is respectfully requested to contact the undersigned representative at the telephone number listed below.

No fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0951.

Respectfully submitted,



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